IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

WP(C).No. 34015 of 2007(Y)

PETITIONER:

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1. INDIAN PENTACOSTAL CHURCH OF GOD,
   REPRESENTED BY PASTOR JOSE SAMUEL, I.P.C.
   KONNAPPARA, PAYYAMON, KONNI, PATHANAMTHITTA.

2. PENTACOSTAL MISSION, KONNI BRANCH,
   REPRESENTED BY PASTOR R. DEVADASAN,
   THE PENTACOSTAL MISSION, KONNI,
   MANGARAM, PATHANAMTHITTA.

BY ADV. SRI.T.S.JOHN
SRI.M.S.RADHAKRISHNAN NAIR

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
   THE PRINCIPAL SECRETARY,
   DEPARTMENT OF LOCAL ADMINISTRATION,
   SECRETARIAT, THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR,
   PATHANAMTHITTA.

3. DISTRICT MEDICAL OFFICER,
   PATHANAMTHITTA.

4. SECRETARY,
   KONNI GRAMA PANCHAYATH, KONNI.

BY G.P. SRI.K.J.MUHAMMED ANZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 34015 of 2007

Dated this the 21st day of November , 2007

JUDGMENT

Heard Sri.T.S.John, the learned counsel for the petitioners, Sri.Mohan Pullikkal, the learned counsel for the 10th respondent in WPC No.1566/2006 and Sri.K.J.Muhammed Anzar, the learned Government Pleader. No representation for Sri.C.B.Sreekumar, the learned counsel for the petitioner in W.P.(C) No.1566/2006.

2. Having considered the submissions addressed at the bar and having persued the documents which have been produced along with the writ petition, I am of the view that there is justification for directing the 4th respondent Panchayat to comply with the statutory procedure on Exts.P1 and P2 so as to ensure that final decision is taken by the 2nd respondent on the application submitted by the petitioner for licence for establishing a burial ground. Decision as directed above will be taken on Exts.P1 and P2 by the 2nd respondent within six months of receiving the applications recommended by the 4th respondent Panchayat. It is needless to mention that the 2nd

respondent shall take decision only after complying with all the statutory formalities.

PIUS C. KURIAKOSE,
JUDGE.

Dpk